

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

APLR (COAH) Act, 1973 – Visakhapatnam District – Narsipatnam Division – Atchuthapuram Mandal – Veduruvada village – Surplus land Acres 109.56 cts. – Survey Nos.3/2, 4A, 68/1, 3/2C, 4B & 5 – Sri Kakarlapudi Kumara Jagannadha Raju and K. Srinivasa Varma – Payment of Compensation to number of Fruit bearing trees(597 Mango trees and 64 Palmyrah Trees )( in surplus land values Rs.2,42,283/- ( Rupees Two Lakhs Forty two thousand and two hundred eighty three only ) – Release of amount – Orders – Issued.- Reg.

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REVENUE (LAND. REFORMS) DEPARTMENT

G.O.Ms.No 579

Dated:20 -09-2012.  
Read the following:-

- Ref: - 1) From District Collector, Visakhapatnam Lr.CCNo.301 & 303/75/SDT (LR) dt: 2-9-2004.  
2) Judgment dated 8-4-2004 in WP.No.5090/93 of the Hon'ble High Court of A.P., Hyderabad.  
3) From District Collector, Visakhapatnam Lr.CCNo.301 & 303/75/LR Dt 31-8-2006.  
4) Enquiry report dt:2-9-04 of the Joint Collector, Visakhapatnam received with District Collector, Visakhapatnam Lr.LCCNo.301 & 303/75(LR) dt: 14-11-2006.  
5) From CCLA. Ref.No.ALC3/936/2004 dated 27-12-2006.  
6) From CCLA. Hyd.,Lr.No.ALC3/537/2011 dated 19-1-2012.

**ORDER:**

In the reference 1<sup>st</sup> cited the District Collector has stated that the petitioner Sri. Kakarlapudi Kumara Varma Narsimha Raju, rep. by GPA Sri K. Srinivasa Varma filed W.PNo.5090/1993 in the Hon'ble High Court of AP. on the ground that the petitioner is the owner of the lands, which have been declared as surplus lands to an extent of Acres 109.56 cents in Sy.Nos.3/2, 4A, 68/1, 3/2C, 4B & 5 of Kakarlapudi village which was taken over possession by the authorities under the provisions of A.P.L.R (COAH) Act, 1973. In the said W.P the petitioner challenged the correctness of the orders passed by the respondents in G.O.Ms.No.1638 Dt: 23-10-1992 on fixing the compensation for a lesser amount and also not fixing the compensation in respect of the actual standing trees as claimed. The Hon'ble High Court in its order dt: 8-11-2004 in W.PNo.5090/1993 while allowing the said W.P directed the Joint Collector, Visakhapatnam to hold an enquiry afresh, after giving notice to the petitioner, going into all questions as to the number of trees and quantum of compensation he is entitled to by taking evidence from both sides and pass orders in accordance with law. The entire process should be completed within three months from the date of receipt of the order.

2. In pursuance to the above direction of the Hon'ble High Court of A.P., in W.P.No.5090/93 dt:8-11-2004, the enquiry was conducted by Joint Collector Visakhapatnam and submitted his report stating that the first point for consideration is number of trees since possession is taken over. It is not possible to determine the number of trees afresh. There is conflicting report on the number of trees, though there were 868 Mango trees and 106 palmarah trees in the surplus land. The information as to the age of the trees and whether the trees yielding any crop is not available as per L.R (DT) report. In 1990 the

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Forest Range Officer, Elamanchili and Mandal Revenue Officer, Elamanchili have inspected and reported that there are 597 Mango trees and 64 Palmyrah trees. Hence that report was taken as final. The Divisional Forest Officer, Visakhapatnam has submitted his report dated 25-8-2004 that the Forest Range Officer, Elamanchili has furnished the valuation report for the 597 Mango Trees and 64 Palmarah trees based on the market rates prevailed in the year 1980 as follows:

| S.No.   | No. of trees existing   | Approximate Qty of fuel estimated as per record | Market rate adopted | Valuation of the trees<br>Rs. Ps. |
|---------|---|---|---------------------|-----------------------------------|
| 03 & 05 | 597 Mango trees deduct cost of extraction transportation etc., of Rs.30.75 per cut. | 1488.50 Tonnes or 2977 cut                      | 259/- per tones     | 3,72,125.00                       |
|         |   | Balance of Rs.                                  |                     | 2,80,553.00                       |
| 03 & 05 | 64 Palmarah trees   |   | Rs.70/- per tree    | 4,480.00                          |
|         |   |   | Total               | 2,85,033.00                       |

3. In the reference 3<sup>rd</sup> read above, the District Collector, Visakhapatnam has reported that an amount of compensation of Rs.42,750/- was paid through Bank draft on 18-3-93 under protest to the declarant. The above amount of Rs.42,750/- has to be reduced from the total compensation amount of Rs.2,85,033/- since the compensation amount of Rs.42,750/- was already paid and only additional amount of Rs.2,42,283/- (Rs.2,85,033.42 - 42,750 = Rs.2,42,283/-) has to be paid without any interest and requested to issue necessary orders.

4. Government after examination of the matter hereby accord sanction for payment of an amount of Rs.2, 42,283/- (Rupees Two Lakhs Forty two thousand and two hundred eighty three only) towards payment of compensation for the 597 Mango Trees and 64 Palmarah trees to Sri K.K.V. Narasimha Raju Rep. by GPA Sri K. Sreenivasa Varma keeping in view of the order of Hon'ble High Court of AP in WP.NO. 5090/1993, dated 08-04-2004.

5. The expenditure sanctioned in Para (4) above shall be met from the Provision of Rs. 6.34 lakhs available under Head of Account 2506- MH. 101- SH (04) – 500/503 other expenditure in BE 2012-13.

6. The order issues with the concurrence of Finance (Expr.Rev) Department U.O.No.18367/183/A1/ Expr.Rev/2012 dated 07-08-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADEH)

ANIL CHANDRA PUNETHA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Special Chief Secretary and Chief Commissioner of Land Administration,  
A.P., Hyderabad.(w.e.)  
Copy to;  
The Collector, Vishakapatnam,  
The Director of Treasuries and Accounts, A.P.Hyderabad.  
The Accountant General. Andhra Pradesh Hyderabad,  
The District Treasury Officer, Vishakapatnam.  
The Finance (Expr.Rev) Department,  
The P.S to Min (Rev)  
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER